

### **REMARKS**

Claims 1-68 are pending. Claims 1, 49, 51, and 64 are amended by way of this Amendment. All claims 1-68, as amended, are believed to be allowable over the references cited by the Examiner as discussed below. Accordingly, a Notice of Allowance for the present application is respectfully requested.

### **Rejection of Claims Under 35 U.S.C. §102(e)**

Claims 1-4, 12, 19, 26-29, 31-40, 44-46, 49-53, and 64-68 stand rejected under 35 U.S.C. 102(e) as being anticipated by Bobisuithi.

However, each of independent claims 1, 49, 51, and 64 is amended to generally recite that the error signal is used to select a directional response corresponding to at least one of the first and second microphones in order to compensate for the first and second microphones being mispositioned, similar to independent claim 54. As noted by the Examiner, claim 54 is allowable because Bobisuithi does not disclose "using the error signal to select the directional response corresponding to at least one of the first and second microphones in order to compensate for the first and second microphones being mispositioned."

Withdrawal of the rejection of independent claims 1, 49, 51, and 64 as well as claims 2-4, 12, 19, 26-29, 31-40, 44-46, 50, 52, 53, and 65-68 dependent variously therefrom, under 35 U.S.C. §102(e) is respectfully requested.

### **CONCLUSION**

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

In the unlikely event that the transmittal letter accompanying this document is separated from this document and the Patent Office determines that an Extension of Time under 37 CFR 1.136 and/or any other relief is required, Applicant hereby petitions for any required relief including Extensions of Time and/or any other relief and authorizes the Commissioner to charge

the cost of such petitions and/or other fees due in connection with the filing of this document to  
Deposit Account No. 50-2315 (Order No. 01-6052).

Respectfully submitted,



---

Jung-hua Kuo, Reg. No. 41,918 for  
Peter Hsieh, Reg. No. 44,780  
Plantronics, Inc.  
345 Encinal Street  
P.O. Box 635  
Santa Cruz, CA 95060-0635  
Telephone: (831) 458-7758  
Facsimile: (831) 426-2965